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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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ECTOR M. MEDINA,

Plaintiff,

v.

UNION PACIFIC R.R.,

Defendant.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Case No. 2:14-CV-216-BCW-CW

Judge Clark Waddoups

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This case was assigned to United States District Court Judge Clark Waddoups, who then referred it to United States Magistrate Brooke C. Wells pursuant to 28 U.S.C. § 636(b)(1)(B). (Dkt. No. 5). On June 18, 2015, Judge Wells issued a Report and Recommendation recommending that the court dismiss this case for failure to state a claim on which relief may be granted because: 1) Mr. Medina's claims are barred by the applicable statute of limitations, 2) Mr. Medina failed to exhaust his administrative remedies; and 3) Mr. Medina failed to sufficiently allege discriminatory conduct with respect to race, color, sex, religion, national origin, or age as required under Title VII of the Civil Rights Act. (Dkt. No. 29). Mr. Medina did not file an Objection to Judge Wells's Report and Recommendation within the permitted timeframe.

Accordingly, conducting de novo review, *Summers v. State of Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) (holding that in the absence of timely objection, the district court may review a magistrate's report under any standard it deems appropriate), the court APPROVES AND ADOPTS Judge Wells's Report and Recommendation (Dkt. No. 29) in its entirety and dismisses the case. The court also DENIES all pending motions as moot.

SO ORDERED this 24th day of August, 2015.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Clark Waddoups", is written over a horizontal line.

Clark Waddoups  
United States District Judge